

IC 34-49-2

Chapter 2. Defective Bonds

IC 34-49-2-1

Bond not void for want of form or substance, recital, or condition

Sec. 1. An official bond entered into by any officer, or any bond, recognizance, or written undertaking taken by any officer in the discharge of the duties of the officer's office, is not void for want of form or substance, recital, or condition.

As added by P.L.1-1998, SEC.45.

IC 34-49-2-2

Principal or surety not discharged for defects

Sec. 2. The principal or surety will not be discharged because of any defects listed in section 1 of this chapter. The principal and surety shall be bound by the bond, recognizance, or written undertaking, to the full extent contemplated by the law requiring the bond, recognizance, or written undertaking. The sureties shall be bound to the amount specified in the bond or recognizance.

As added by P.L.1-1998, SEC.45.

IC 34-49-2-3

Actions on defective bond

Sec. 3. In all actions on a defective bond, recognizance, or written undertaking, the plaintiff or relator may suggest the defect in the plaintiff's or relator's complaint, and recover to the same extent as if the bond, recognizance, or written undertaking were perfect in all respects.

As added by P.L.1-1998, SEC.45.